

**MAYOR AND CITY COUNCIL MEETING  
CITY OF CARROLLTON  
DECEMBER 1, 2003**

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**MINUTES**

**CALL TO ORDER**

The Mayor and City Council met in regular session on Monday, December 1, 2003 at 7:35 p.m. in the Court/Council Room, Public Safety Complex, 115 West Center Street, Carrollton, Georgia. The meeting was called to order by Mayor Pilgrim.

There were present:

Mayor Gerald Pilgrim  
Councilmember Gerald Byrd  
Councilmember Henry Dickerson  
Councilmember Rusty Gray  
Councilmember J. Carl Williamson, Jr.

**INVOCATION**

The Invocation was offered by Mayor Pilgrim.

**MINUTES**

1. **MOTION BY COUNCILMEMBER BYRD, SECONDED BY COUNCILMEMBER WILLIAMSON, TO APPROVE THE MEETING MINUTES OF NOVEMBER 3, 2003 AS PRESENTED. MOTION PASSED UNANIMOUSLY, 5-0.**

**PUBLIC HEARINGS**

2. Consideration of a request by Louise Toole to rezone 0.31 acres located at 402 College Street from R-10 (Single Family Residential) to R-2 (Medium Density Residential). (Tabled at 11-03-03 Mayor and Council Meeting) *Planning Commission Recommendation: Denial on 8-11-03* City Manager Silverboard noted that the request had been withdrawn.

3. Consideration of a request by Robbie Robinson to annex and rezone 7.45 acres, located at 1300 Bankhead Highway. Requesting C-2 (Neighborhood and Highway Business Service District) Zoning. *Planning Commission Recommendation: Approval on 11-10-03* Community Development Director Dunnivant presented the request and noted the petitioner plans to maintain the current use of Robinson Salvage and Southern Pipe on the premises. The public hearing was opened for citizen comments: Those speaking in favor: Robbie Robinson, owner of said property. Those speaking opposed: None. Mayor Pilgrim closed the public hearing and invited the Council's discussion on the matter. Following a brief discussion, **MOTION BY COUNCILMEMBER GRAY, SECONDED BY COUNCILMEMBER BYRD TO APPROVE THE ANNEXATION REQUEST AND REZONE 7.45 ACRES LOCATED AT 1300 BANKHEAD HIGHWAY TO C-2 (NEIGHBORHOOD AND HIGHWAY BUSINESS SERVICE DISTRICT) ZONING. MOTION PASSED UNANIMOUSLY, 5-0.**

4. Consideration of a request by Frank Potts (Piedmont Properties) to annex and rezone 21.30 acres, located off Cottage Hill Road. Requesting R-2 (Medium Density) PUD (Planned Unit Development) Zoning. *Planning Commission Recommendation: Conditional Approval on 11-10-03*

Director Dunnivant presented the request and noted the petitioner plans to construct 125 fee-simple townhouses. Director Dunnivant stated the Planning Commission had approved recommending the request with the following conditions:

1. The lot size shall be waived in accordance with the Zoning Ordinance.
2. An 80-foot setback must be maintained for all structures off Cottage Hill Road.
3. A six-foot fence shall be erected between the development and those parcels located in Cottage Hill Plantation subdivision.

The public hearing was opened for citizen comments: Those speaking in favor: Mr. Charlie Frost, (Crawford and Associates) construction engineer for said project. Mr. Frost stated the petitioner was willing to perform a traffic study, construct sidewalks and conform with the conditions as specified by the Planning Commission. Those speaking opposed: None. Mayor Pilgrim closed the public hearing and invited the Council's discussion on the matter. Following a brief discussion, ***MOTION BY COUNCILMEMBER DICKERSON, SECONDED BY COUNCILMEMBER GRAY TO APPROVE THE ANNEXATION REQUEST AND REZONE 21.30 ACRES, LOCATED OFF COTTAGE HILL ROAD TO R-2 (MEDIUM DENSITY) PUD (PLANNED UNIT DEVELOPMENT) ZONING WITH CONDITIONS AS SPECIFIED BY THE PLANNING COMMISSION. MOTION PASSED UNANIMOUSLY, 5-0.***

#### **REGULAR AGENDA**

5. Consideration of adoption of a Resolution of the Mayor and Council of the City of Carrollton, Georgia Accepting the Results of the November 4, 2003 Election as Certified by the Superintendent of Elections.

City Manager Silverboard presented the following election results for adoption:

For Office of Mayor:	Wayne Garner	1102 votes
	Roger M. Rossomondo	375 votes
	George Ward	567 votes

For Office of Councilmember:	Peter Balega	437 votes
(Ward III)	Mike Thomas	344 votes

For Office of Councilmember:	J. Dean Brown	360 votes
(Ward IV)		

***MOTION BY COUNCILMEMBER WILLIAMSON, SECONDED BY COUNCILMEMBER DICKERSON TO ADOPT THE RESOLUTION ACCEPTING THE RESULTS OF THE NOVEMBER 4, 2003 ELECTION. MOTION PASSED UNANIMOUSLY, 5-0.***

6. Consideration of a request from Carrollton Manor, Inc. for the City to provide financial assistance for the extension of a sewer line to serve their property. If approved, funding is available through a CDBG/EIP and the Water Fund Renewal and Extensions Fund. Further authorize staff to execute the related Grant agreements as attached in the Staff Report. City Manager Silverboard reviewed the history of the project and the City's involvement in obtaining a grant to assist in the funding. City Manager Silverboard further added that the grant award was for \$300,000 and not the \$500,000 as initially anticipated. Manager Silverboard stated that he had received a request from Carrollton Manor Inc. owner Evelyn Thompson requesting financial assistance to complete the project. Manager Silverboard noted that it was staff's recommendation that the City contribute up to \$100,000, waive the tap fee, and provide in-kind inspections for the project. At this time Ms. Thompson addressed the Mayor and Council. Ms. Thompson stated that Carrollton Manor Inc. did not have the funds required to pay the additional \$200,000 not funded in the reduced grant award. Ms. Thompson stated that currently the septic system at Carrollton Manor does not work properly and if access to City sewer is not provided, the business would be faced with closing its doors. At this time Manager Silverboard discussed the preliminary cost estimates for the project with the Mayor and Council. The Mayor and Council inquired to the benefit of the City giving funds to run 14,500 feet of sewer line to Carrollton Manor. Manager Silverboard stated that although Carrollton Manor was outside the city limits, there were some advantages, further adding that the gravity sanitary sewer main could

ultimately serve an area of approximately 700 acres. Mayor Pilgrim and Councilmember Gray expressed concerns of giving funds to a "for profit" business. Following a lengthy discussion, **THE MAYOR AND COUNCIL HAD A CONSENSUS TO TABLE THE REQUEST AND REQUESTED STAFF TO PROVIDE THE ROUTE OF THE PROPOSED SEWER LINE AND THE NAMES OF THE NEARBY PROPERTY OWNERS ALONG THE ROUTE.**

7. Consider approval to formally reprioritize downtown development, economic development and public utility components from the 1998 S.P.L.O.S.T. Budget and allocate the remainder of the 1998 S.P.L.O.S.T. funds to uncompleted recreation projects originally identified in the 1998 S.P.L.O.S.T. Budget.

Manager Silverboard explained that the 1998 S.P.L.O.S.T. Fund balance was estimated to be \$1,985,469 and briefly reviewed the projects funded by the S.P.L.O.S.T. proceeds. Manager Silverboard noted that several remaining Recreation renovations listed on the 1998 S.P.L.O.S.T. list were in need of renovation; including: Community Activity Center, Bonner Building and Gymnasium. Manager Silverboard stated that staff recommended that the Mayor and Council formally delete the downtown development, economic development and public utility components from the 1998 S.P.L.O.S.T. Budget and allocate the remainder of the funds to the uncompleted recreation projects as originally identified in the 1998 S.P.L.O.S.T. Budget. Following a brief discussion, **MOTION BY COUNCILMEMBER GRAY, SECONDED BY COUNCILMEMBER WILLIAMSON TO REPRIORITIZE 1998 S.P.L.O.S.T. PROJECTS AND ALLOCATE THE REMAINDER OF 1998 S.P.L.O.S.T. FUNDS TO UNCOMPLETED RECREATION PROJECTS AS PRESENTED. MOTION PASSED UNANIMOUSLY, 5-0.**

8. Consideration for approval of the Parks, Recreation & Cultural Arts Department to solicit bids for 1998 S.P.L.O.S.T Projects for specified renovations of the Community Activities Center, Bonner Fitness Center, and the City Gym.

Manager Silverboard noted that since the approval of the last item, permission would need to be granted to proceed with the solicitation of bids for renovations to the Community Activity Center, Bonner Building and Gymnasium. Following a brief discussion, **MOTION BY COUNCILMEMBER WILLIAMSON, SECONDED BY COUNCILMEMBER GRAY TO APPROVE THE SOLICITATION OF BIDS FOR 1998 S.P.L.O.S.T. PROJECTS FOR SPECIFIED RENOVATIONS OF THE COMMUNITY ACTIVITIES CENTER, BONNER FITNESS CENTER, AND THE CITY GYM AS PRESENTED. MOTION PASSED UNANIMOUSLY, 5-0.**

9. Request authorization for the City Manager to execute a contract with Sanborn Map Company, Inc. for aerial photography and planimetric and topographic mapping in the amount of \$163,225.50. If approved, authorize funding for this project from the Water Fund Renewal and Extension Fund.

Manager Silverboard reported that Carroll County had recently contracted with Sanborn Map Company, Inc. to perform aerial mapping services. Manager Silverboard further added that at this time, the City could partner with Carroll County on the project and cut the City's cost for aerial services. Manager Silverboard reviewed the benefits of receiving the aerial maps, and planimetric and topographic mapping. Senior Management Specialist Jason Bolin answered questions from the Mayor and Council on the proposed project. Following a brief discussion, **MOTION BY COUNCILMEMBER DICKERSON, SECONDED BY COUNCILMEMBER BYRD TO AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH SANBORN MAP COMPANY, INC. IN THE AMOUNT OF \$163,225.50 AS REQUESTED. MOTION PASSED UNANIMOUSLY, 5-0.**

10. Clarification of the intent of buffer requirements as related to Commercial development. Director Dunnivant requested the Mayor and Council clarify an amendment to the Zoning Ordinance adopted on February 27, 2003. Director Dunnivant further stated that currently inconsistencies arise regarding planted buffers between adjacent commercial uses as specified in Section 810 and mandated side setbacks as required in Section 600. Area, Yard, and Height Requirements. Director Dunnivant noted that the confusion in the interpretation comes when

applying the buffer standard between two abutting uses in the same zoning district, further adding that when a new development is screened from view due to existing structures or topography, the development would still be required to plant a buffer despite existing conditions. Director Dunnivant specifically requested clarification on Section 810. Buffer Zones. Director Dunnivant and the Mayor and Council discussed City staff recommendations on the issue. Following a brief discussion, ***MOTION BY COUNCILMEMBER WILLIAMSON, SECONDED BY COUNCILMEMBER GRAY TO REQUEST THE PLANNING COMMISSION TO RECOMMEND AMENDMENTS TO THE ORDINANCE AND PRESENT PROPOSED AMENDMENTS TO THE MAYOR AND COUNCIL.***

11. Consideration for approval of the Reservoir Management Plan as amended and authorize staff to submit said plan to EPD for final approval.

Manager Silverboard briefly reviewed the history of the City's Reservoir Management Plan and further added that an amendment was needed for the Plan to be in compliance with the Georgia Department of Natural Resources (EPD). City Engineer/Public Utilities Administrator Mark Teal noted that EPD recognized that Sharpe's Creek Reservoir's shoreline as currently developed with many uses exempt for current watershed management criteria. Further adding that EPD wants the Plan to address future changes in land use around the reservoir, or any portions of land around the reservoir, which change land use. Following a brief discussion, ***MOTION BY COUNCILMEMBER WILLIAMSON, SECONDED BY COUNCILMEMBER GRAY TO APPROVE THE RESERVOIR MANAGEMENT PLAN AS AMENDED AND AUTHORIZE STAFF TO SUBMIT THE PLAN TO EPD. MOTION PASSED, UNANIMOUSLY 5-0.***

12. Consideration of the Resolution of the Mayor and Council of the City of Carrollton, Georgia Requesting the Georgia Department of Transportation to revise the National Highway System, the Carrollton Urban Area Map, and the Highway Functional Classification System. Manager Silverboard presented the resolution and explained the need of the request. Following a brief discussion, ***MOTION BY COUNCILMEMBER GRAY, SECONDED BY COUNCILMEMBER WILLIAMSON TO APPROVE THE RESOLUTION REQUESTING THE GEORGIA DEPARTMENT OF TRANSPORTATION TO REVISE THE NATIONAL HIGHWAY SYSTEM, THE CARROLLTON URBAN AREA MAP, AND THE HIGHWAY FUNCTIONAL CLASSIFICATION SYSTEM. MOTION PASSED UNANIMOUSLY, 5-0.***

13. Consideration of two appointments to the Carrollton Planning Commission. ***MOTION BY COUNCILMEMBER GRAY, SECONDED BY COUNCILMEMBER WILLIAMSON TO RE-APPOINT BEN DeMAYO (TERM EXPIRING DECEMBER 31, 2006) AND MATTHEW CLAY (TERM EXPIRING DECEMBER 31, 2006) TO THE CARROLLTON PLANNING COMMISSION. MOTION PASSED UNANIMOUSLY, 5-0.***

14. Consideration of appointing Trent North of the Carroll County Commission as chairperson of the West Carrollton Enterprise Zone Committee. ***MOTION BY COUNCILMEMBER DICKERSON, SECONDED BY COUNCILMEMBER WILLIAMSON TO APPOINT TRENT NORTH AS CHAIRPERSON OF THE WEST CARROLLTON ENTERPRISE ZONE COMMITTEE. MOTION PASSED UNANIMOUSLY, 5-0.***

15. Discussion of appointing the Municipal Court Judge. City Manager Silverboard informed the Mayor and Council of Municipal Court Judge Dennis Blackmon's recent resignation effective the end of December of 2003. Further adding that Judge Blackmon had indicated he was willing to serve until a replacement is found. City Manager Silverboard noted that the position had been advertised and several resumes had been received as distributed in the Council packet. Following a brief discussion, ***MOTION BY COUNCILMEMBER DICKERSON, SECONDED BY COUNCILMEMBER WILLIAMSON TO APPOINT A COMMITTEE (CITY SOLICITOR AND LOCAL DEFENSE ATTORNEY) TO MAKE A RECOMMENDATION FOR MUNICIPAL COURT JUDGE TO THE MAYOR AND COUNCIL. MOTION PASSED UNANIMOUSLY, 5-0.***

#### **CITIZENS' COMMENTS**

- Ms. Annie Boykin requested a streetlight be placed at the intersection of Highway 27 and Spring Street. Councilmember Byrd requested a meeting with City Manager Silverboard and Ms. Boykin to address the street light request.
- Recreation Director Gay noted that a self-assessment of the Recreation Department had recently been completed. The Recreation Department is applying to receive national certification, pointing out that there were only 47 departments in the nation that had received the certification. Further, Mr. Gay noted that the Recreation Department had recently won the bid for the 9 & 10-year-old Class B State Basketball Tournaments and the Class B and Class C State Track Tournaments.
- Mr. Dillard Buchanan inquired to the Reservoir Management Plan. City Manager Silverboard noted that a copy was available for his review.

#### **ADJOURNMENT**

There being no further business to be addressed before the Mayor and Council, ***MOTION BY COUNCILMEMBER WILLIAMSON, SECONDED BY COUNCILMEMBER GRAY TO ADJOURN THE MEETING AT 8:55 P.M. MOTION PASSED UNANIMOUSLY, 5-0.***

*Respectfully submitted by  
Libby R. Duke, Deputy City Clerk*